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9 official capacity as Director of the
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10 **UNITED STATES DISTRICT COURT**
11 **DISTRICT OF ARIZONA**

12 A.D. and C. by CAROL COUGHLIN CARTER,
13 their next friend; S.H. and J.H., a married
14 couple; M.C. and K.C., a married couple; for
themselves and on behalf of a class of similarly
15 situated individuals,

16 Plaintiffs,

17 v.

18 KEVIN WASHBURN, in his official capacity as
19 Assistant Secretary of BUREAU OF INDIAN
20 AFFAIRS; SALLY JEWELL, in her official
capacity as Secretary of Interior, U.S.
21 DEPARTMENT OF THE INTERIOR; AND
22 GREGORY MCKAY, in his official capacity as
23 Director of the ARIZONA DEPARTMENT OF
CHILD SAFETY,

24 Defendants.

No. 2:15-cv-01259-PHX-NVW

**STATE DEFENDANT'S MOTION
TO EXCEED PAGE LIMIT**

1 Defendant Gregory McKay, in his official capacity as Director of the Department of
2 Child Safety, hereby moves this Court for relief from the 17-page limit set by the local rules
3 for his motion to dismiss, filed concurrently with this Motion. Plaintiffs do not object to the
4 State Defendant's request to file an opening memorandum of no more than thirty pages.

5 Local rules limit opening and responsive memoranda to seventeen pages (LRCiv
6 7.2(e)(1)), which is insufficient to address the numerous constitutional claims raised by
7 Plaintiffs. Defendant McKay's Motion to Abstain or Dismiss raises jurisdictional challenges
8 as well as addressing Plaintiffs' failure to state a claim. Allowing Defendant McKay to exceed
9 the page limit is necessary to allow the full and proper context and merits of the Motion.

10 For all of the foregoing reasons the State—by and through Defendant McKay—moves
11 this Court to permit it to exceed the local rule for page limits by twelve pages and accept for
12 filing the accompanying State's Motion to Abstain and Dismiss Pursuant to Fed. R. Civ. P.
13 12(b)(1), (6).

14 DATED October 16, 2015.

15
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17 Attorney General

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**UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA**

A.D. and C. by CAROL COUGHLIN CARTER. | No. 2:15-cv-01259-PHX-NVW

couple; M.C. and K.C., a married couple; for	[PROPOSED] ORDER
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A.D. and C. by CAROL COUGHLIN CARTER, their next friend; S.H. and J.H., a married couple; M.C. and K.C., a married couple; for themselves and on behalf of a class of similarly situated individuals,

Plaintiffs,

V.

KEVIN WASHBURN, in his official capacity as Assistant Secretary of BUREAU OF INDIAN AFFAIRS; SALLY JEWELL, in her official capacity as Secretary of Interior, U.S. DEPARTMENT OF THE INTERIOR; AND GREGORY MCKAY, in his official capacity as Director of the ARIZONA DEPARTMENT OF CHILD SAFETY,

Defendants.

The Court having considered Defendant Gregory A. McKay's motion for excess pages and good cause appearing,

IT IS ORDERED that Defendant McKay may file a Motion to Abstain and Dismiss of twenty-nine pages length.